

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

ype:
,

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

METHOD AND APPARATUS OF LOAD SHARING AND FAULT TOLERANCE IN AN INTERACTIVE VIDEO DISTRIBUTION SYSTEM

SPECIFICATION IDENTIFICATION

The specification	n of which:
	is attached hereto was filed on, under Serial No, executed on even date herewith; or
	Express Mail No (as Serial No. not yet known)
	and was amended on(if applicable) was described and claimed in PCT International Application No filed on and as amended under PCT Article 19 on
	filed on and as amended under PC1 Article 19 on

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

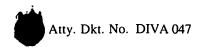
I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56, and which is material to the examination of this application; namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and

In compliance with this duty, there is attached an Information Disclosure Statement in accordance with 37 CFR §1.98.

PRIORITY CLAIM (35 U.S.C. §119)

I hereby claim priority benefits under Title 35, United States Code, §119, of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America or of any United States Provisional Application(s) listed below, and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one





country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

No such applications have been filed.

Such applications have been filed as follows:

A. Prior foreign/PCT/provisional application(s) filed within 12 mos. (6 mos. for design) prior to this application, and any priority claims under 35 U.S.C. §119

Country/PCT	Application No	Date Filed	Priority Claimed
U.S.A.	Provisional Application	April 1, 1999	▼ YES □ NO
	No. 60/127,337		☐ YES ☐ NO
			\Box YES \Box NO

B. All foreign application(s), if any, filed more than 12 mos. (6 mos for design) prior to this U.S. application

Country: Application No: Filing date:

PRIOR U.S. APPLICATION(S) FOR WHICH BENEFIT UNDER 35 U.S.C. §120 IS CLAIMED

		Status			
Serial No.	Filing Date	Patented	Pending	<u>Abandoned</u>	
		patented	pending	abandoned	
		patented	pending	☐ abandoned	
		☐ patented	pending	abandoned	

POWER OF ATTORNEY

I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Charles Lee Thomason	Reg. No. 31,431	Eamon J. Wall	Reg. No. 39,414
Raymond R. Moser Jr.	Reg. No. 34,682	R. Gale Rhodes Jr.	Reg. No. 19833
Joseph Pagnotta	Reg. No. 39,322	Wan Yee Cheung	Reg. No. 42,410
Kin-Wah Tong	Reg No 39 400		

Send correspondence to:

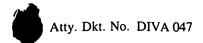
Direct telephone calls to:

Thomason, Moser & Patterson LLP The Galleria -- 2d Floor 2-40 Bridge Ave. Post Office Box 8160 Red Bank, NJ 07701 Raymond R. Moser, Jr. 732-530-9404

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these





statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full name of sole or first inventor: 10m Glammarresi	, ,
Inventor's signature: Tom Hiammanen	Date: 12/6/99
Residence: 30567 Del Valle Place, Union City, CA 94587	
Post Office Address: same as above	
	Country of Citizenship: USA
	·
Full name of second inventor:	
Inventor's signature:	Date:
Residence:	
Post Office Address:	
	Country of Citizenship:
	•
Full name of third inventor:	
Inventor's signature:	Date:
Residence:	
Post Office Address:	
	Country of Citizenship:
Full name of fourth inventor:	
	.
Inventor's signature:	Date:
Residence:	
Post Office Address:	
	Country of Citizanshin
	Country of Citizenship:
Full name of fifth inventor:	
Tun hame of men myentor.	
Inventor's signature:	Date:
Residence:	
Post Office Address:	
7 001 0 111 30 1 1331 0 555	
	Country of Citizenship:
	•
Full name of sixth inventor:	
Inventor's signature:	Date:
Residence:	Date
Post Office Address:	
1 051 Office Address.	

Country of Citizenship:

VERIFIED STATEMENT (DELARATION) CLAIMING SMALL TITY STATUS (37 CFR 1.9(f) AND 1.27 (c)) - SMALL BUSINESS CONCERN

Docket No. 533/047

STATUS (37 CFR 1.9(f) AND 1.27 (c)) - SMALL BUSINESS CONCERN 533/047			
Serial No.	Filing Date	Patent No.	Issue Date
Applicant/ Patentee: Tom Giammarre	esi		
Invention:			
METHOD AND APPARATU	S OF LOAD SHARING AND F.	AULT TOLERANCE IN AN IN	TERACTIVE, etc.
I hereby declare that I am:			•
	small business concern identifie small business concern empowe	ed below: ered to act on behalf of the con	cern identified below:
NAME OF CONCERN: ADDRESS OF CONCERN:			
13 CFR 121.3-18, and rep (b) of Title 35, United State does not exceed 500 perso is the average over the p temporary basis during each	roduced in 37 CFR 1.9(d), for es Code, in that the number of ons. For purposes of this staten revious fiscal year of the cond on of the pay periods of the fisc of, one concern controls or has	concern qualifies as a small bus purposes of paying reduced fe employees of the concern, inc nent, (1) the number of employ cern of the persons employed cal year, and (2) concerns are a the power to control the other	es under Section 41(a) and luding those of its affiliates, ees of the business concern on a full-time, part-time or affiliates of each other when
	ts under contract or law have ith regard to the above identifie	e been conveyed to and remand invention described in:	in with the small business
■ the specification ■	on filed herewith with title as lis	ted above.	
☐ the application	identified above.		
☐ the patent ide	ntified above.		
organization having rights person, other than the inv	to the invention is listed on the entor, who could not qualify as	s concern are not exclusive, or next page and no rights to the an independent inventor under 37 CFR 1.9(d) or a reconstruction.	e invention are held by any er 37 CFR 1.9(c) or by any

				have assigned, granted, convey, or license any rights in		
	•	•	organization e or organization	xists. n is listed below.		
FULL NAME ADDRESS						
FULL NAME ADDRESS		Individual		Small Business Concern		Nonprofit Organization
FULL NAME		Individual		Small Business Concern		Nonprofit Organization
ADDRESS FULL NAME		Individual		Small Business Concern		Nonprofit Organization
ADDRESS		Individual		Small Business Concern		Nonprofit Organization
Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27) I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)) I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.						
NAME OF PER			Stephanie A.	Storius		
	OTHER THAN OWNER: ADDRESS OF PERSON SIGNING: C/O DIVA Systems Corporation 800 Saginaw Drive Redwood City, CA 94063					
SIGNATURE:	A	Mau	2. Psi	DATE CHIRCLE	: 12 3	5/99